

Application Serial No. 09/318,668
Response dated January 23, 2006
Reply to Office action of September 23, 2005

REMARKS

In the Office Action dated September 23, 2005, claim 40 was rejected under 35 U.S.C. 103(a) as being unpatentable over Tymes (US 5,029,183) in view of Hoff (US 5,168,271). The Examiner asserts that Tymes teaches roaming data collection terminals that selectively deactivate their wireless transceivers (citing col. 3, lines 1-15 of Tymes). However, Applicant submits that does not teach that each of said roaming data collection terminals selectively deactivates its wireless transceiver *for a consecutive plurality of defined intervals at which the base station transmits packets*, in accordance with claim 40. Rather, in Tymes, the roaming transmitter is usually off. The remote units 15 transmit to the base station 12, 13, 14 periodically. The receiver of the remote unit 15 then goes active for a defined period after such transmission. Thus the remote units 15 can only receive packets from the base station 12, 13, 14 during this period after the remote device transmits a signal to the base station 12, 13, 14. Thus, the remote unit's activation and deactivation is defined by its own transmissions to the base station 12, 13, 14, rather than an interval at which the base station transmits. Indeed, Tymes does not teach that the base station 12, 13, 14 transmits packets periodically at defined intervals, as claimed in claim 40. Applicant further submits that Tymes does not teach that the remote units 15 attempt to synchronize activation of their wireless transceivers to receive information packets transmitted by one of the base stations 12, 13, 14, nor that the information packets transmitted by the plurality of base stations comprises pending message indications, as called for in claim 40.

The Examiner asserts the Hoff's arrangement includes a plurality of base stations that transmit information packets periodically at each of defined intervals, in accordance with claim 40. In support of this contention, the Examiner cites Figure 2A of Hoff. Applicant respectfully submits that Figure 2A of Hoff merely depicts a portion of a global paging network 22 to illustrate the levels of hierarchy within the network. Figure 2 and its associated text do not indicate that the transmitters 44 transmit information packets periodically at each of defined intervals. The Examiner further asserts that Hoff teaches that each of a plurality of roaming data

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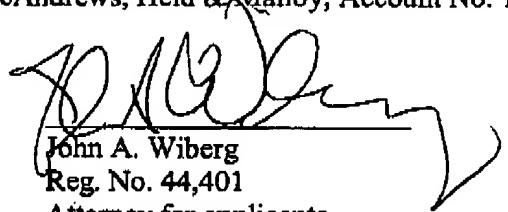
collection terminals selectively deactivates its wireless transceiver for a consecutive plurality of said defined intervals, and then activates its wireless transceiver to allow receiving information packets, wherein each of said roaming terminals attempts to synchronize activation of its wireless transceiver to receive information packets transmitted by at least one of the plurality of base stations. In support of this contention, the Examiner cites col. 25, line 60 – col. 26, line 65. Applicant respectfully submits that the cited portion of Hoff merely describes “Flags and Forced Zero Bit Insertion” and “Control Slots” and do not in any way talk about each of said roaming data collection terminals selectively deactivating its wireless transceiver for a consecutive plurality of said defined intervals, and then activating its wireless transceiver to allow receiving information packets, nor about each of said roaming terminals attempting to synchronize activation of its wireless transceiver to receive information packets transmitted by at least one of the plurality of base stations. Also, the Examiner asserts that “wherein the information packets transmitted by the plurality of base stations comprise pending message indications” is taught by Hoff at col. 4, line 58 – col. 5, line 25. Applicant respectfully disagrees. Col. 4, line 58 – col. 5, line 7 of Hoff teach that the packets include an address corresponding to a time during which the packet is transmitted, and does not teach that the packets include pending message indications.

In view of the above amendments and remarks, Applicant believes that this application is in condition for allowance.

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The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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